

## FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD BOARD MEETING

**Andrew Scalise** 

#### Wednesday, August 27, 2025, 5:00 PM

Sharon Bulova Center for Community Health 8221 Willow Oaks Corporate Drive, Room 3-314 West Fairfax, VA 22031

#### **MEETING AGENDA**

1.	Meeting Called to Order	<b>Andrew Scalise</b>
2.	Roll Call, Audibility and Preliminary Motions	<b>Andrew Scalise</b>
3.	Matters of the Public	<b>Andrew Scalise</b>
4.	Amendments to the Meeting Agenda	<b>Andrew Scalise</b>
5.	Approval of the Meeting Minutes	<b>Andrew Scalise</b>
	A. Meeting Minutes (July 23, 2025)	
6.	Matters of the Board	Andrew Scalise
	A. Legislative 1:1	
	B. Mentorship	
	C. VASCB Conference & Training	
	D. Annual Planning Meeting Calendar	
7.	Closed Session: Closed Session: motion for a Closed Meeting	Molly Shannon   Sarah
	regarding FOIA training and consultation with legal counsel	Annear
	employed or retained by a public body regarding specific legal	
	matters requiring the provision of legal advice by such counsel as	
	permitted by Va. code § 2.2-3711(A)(8)	
8.	Adjournment	Andrew Scalise

Meeting materials are posted online at <a href="www.fairfaxcounty/community-services-board/board/archives">www.fairfaxcounty/community-services-board/board/archives</a> or may be requested by contacting the CSB Board Clerk at 703-324-7000 or at <a href="CSBBoardClerk@fairfaxcounty.gov">CSBBoardClerk@fairfaxcounty.gov</a>.



### FAIRFAX FALLS-CHURCH COMMUNITY SERVICES BOARD MEETING July 23, 2025

The Community Services Board met in regular session at the Sharon Bulova Center for Community Health located at 8221 Willow Oaks Corporate Drive, Fairfax, Virginia 22031 in room 3-314 West.

#### 1. Meeting Called to Order

Board Chair Andrew Scalise called the meeting to order at 5:01 P.M.

#### 2. Roll Call, Audibility and Preliminary Motions

PRESENT: BOARD MEMBERS: CHAIRMAN ANDREW SCALISE; VICE CHAIR

EVAN JONES; SECRETARY SARAH COUGHTER; DR. PATRICIA ZISSIOS; DARIA AKERS; SRILEKHA PALLE; KASEY MCNAMARA; JENNIFER DESAI; ALISHA KEIRSTEAD; ANNE WHIPPLE AND BETTINA LAWTON

Staff in Attendance: Executive Director, Daryl Washington; Deputy Director of Administrative Operations, Jean Post; Deputy Director of Clinical Operations, Abbey May; Deputy Director of Clinical Operations, Dr. Barbara Wadley-Young; Senior Strategy Director, Shweta Adyanthaya; Healthcare Systems Director, Jennifer Aloi; Chief Finance Officer, Elif Ekingen; Division Director of Contracts and Supportive Services, Kevin Lafin; Info Tech Program Manager, Shwetal Parikh; Division Director, Eileen Bryceland; Legislative Liaison, Elizabeth McCartney; Program Manager, Family Services, Peter Steinberg; Division Director, LaVurne Williams; Division Director Support Coordination, Sierra Simmons; Division Director, Behavioral Health Nursing, Yussuf Enum; Division Director, Residential Services, Liv O'Neal; Director of Analytics & Evaluation, Linda Mount; Administrative Assistant, Katherine Guerrero; Executive Assistant, Aferdita Balla, Board Clerk, Pura Valdez.

#### 3. Matters of the Public

**Abdihalim Abdullahi** Fairfax County resident and person in long-term recovery, delivered a heartfelt testimony urging the Board to reconsider proposed budget cuts—particularly the nearly 58% reduction affecting mental health, substance use, and homelessness services. He emphasized the life-saving impact of these programs, sharing his personal journey from addiction to becoming a productive member of society, thanks to the support of the Community Services Board (CSB) and long-term treatment. Mr. Abdullahi highlighted the broader community implications, stressing that these services are essential for families, workers, and vulnerable individuals. He called for minimizing the cuts as much as possible and welcomed further dialogue to advocate for preserving critical resources.

#### 4. Amendments to the Meeting Agenda

The meeting agenda was provided for review. No amendments were made.

#### 5. Approval of Minutes

Minutes from the meeting held on June 25, 2025, were provided for review. On Page 6 to update William to Williams. No further edits were made.

BOARD MEMBER EVAN JONES MOVED TO ADOPT THE MINUTES OF THE FULL BOARD MEETING HELD ON JUNE 25, 2025, AS AMENDED. COMMITTEE MEMBER DARIA AKERS SECONDED THIS MOTION. MOTION TO ADOPT WAS UNANIMOUSLY APPROVED.

#### 6. PRESENTATION:

**Division Director Support Coordination Sierra Simmons** presented a comprehensive update on Support Coordination's operations, budgetary constraints, and the escalating challenges tied to the Developmental Disability (DD) waiver waitlist in Fairfax County. Drawing on her 30+ years of experience, she underscored the mounting pressure on local resources, particularly as the county now holds the highest number of individuals on the Priority One waitlist statewide.

Total Priority One individuals: 1,137

Waiver slots allocated: 304

• Unserved by end of FY26: 833

Ms. Simmons emphasized that state-level messaging from DBHDS particularly around the goal of eliminating the waitlist—has inadvertently fostered unrealistic expectations among families and advocates. She called for greater transparency and consistency in communications to manage public understanding and trust. To uphold service quality and meet obligations, Ms. Simmons stressed the critical need for sustainable funding to:

Recruit and retain qualified Support Coordinators

- Maintain manageable caseloads
- Ensure compliance with service standards

Advocate for continued legislative engagement, including:

- Future budget requests for additional waiver slots
- Dedicated onboarding funds to support workforce development

#### 7. <u>Director's Report</u>

A. **Legislative Liaison Elizabeth McCartney** reported that the county government relations team is restructuring its legislative program to be more strategic and action oriented. Moving away from an expansive annual document with numerous positions, the new framework will center on county values, including the protection of local authority and opposition to unfunded mandates.

**Key Changes include:** 

- Streamlining each policy area to three targeted areas for the upcoming session (e.g., transportation, behavioral health, Medicaid waivers)
- Prioritizing clarity and impact over volume to better align with legislative opportunities.

The revised program is expected to be presented at the September 16, 2025, County Legislative Committee meeting. CSB leadership will work closely with service directors to ensure priorities like DD waivers and behavioral health are clearly represented. Updates will be shared with the board as the process evolves.

- B. Healthcare Systems Director Jennifer Aloi said that the Electronic Health Record (EHR) building portion has been completed, including Questions & Answers setup for diagnosis, lab, and activation favorites. These will be copied to test/train domains with Sprint design sessions starting the week of August 18, 2025. The team is now moving from a document-based system to a data-driven platform. Instead of replicating paper forms, Credible Care captures data through templates that generate documents as needed. Missing forms don't mean missing data—everything is captured and can be organized dynamically.
- C. **Executive Director Daryl Washington** reported on the following: **Medicaid & SNAP Policy Changes:** Recent federal actions have introduced new requirements that may significantly impact Medicaid operations and access in Virginia:
  - Medicaid Expansion remains intact; however, beginning late 2026, new hurdles have been introduced:
    - Monthly work or volunteer hour requirements
    - Twice-yearly eligibility redeterminations (previously annual)
    - Billing lookback period reduction from 90 to 30 days, limiting reimbursement opportunities
  - Supplemental Nutritional Assistance Program (SNAP) administrative funding is being reduced:
    - Local agencies, including Family Services, will operate with fewer resources
    - No state-level support is expected to offset these cuts
  - A newly issued federal memo prohibits the use of federal funds for services to undocumented individuals:
    - This presents operational challenges for jurisdictions like Fairfax County, which follows a trust policy and does not inquire about documentation status
    - Potential impacts include emergency services, outreach programs, and federally funded initiatives such as PATH
  - Implementation Timeline: Some provisions are effective immediately; others will phase in over the next two years
  - Next Steps: County leadership is reviewing legal guidance and documentation while current operations will continue until formal direction is received.

**FY27 Budget Planning**: Executive leadership has initiated planning for anticipated FY27 budget reductions, with a focus on preserving core clinical services:

- Strategy includes advocating for an increased revenue target—potentially up to \$5 million—to offset a projected \$9.2 million shortfall
- Staff have consistently exceeded revenue expectations, providing a strong foundation for this approach

- Evaluation Process:
  - Reviewing low-performing areas and exploring new operational strategies
  - Soliciting staff input via a dedicated inbox and upcoming survey
  - Emphasis on discretionary items (e.g., sign-on bonuses, recognition programs)
     rather than program closures
  - If reductions intersect with personnel impacts, leadership will present the matter to the Board of Supervisors to ensure transparency and avoid premature concern
- Decision Framework: Final determinations will be guided by staff feedback, fiscal feasibility, and service impact analysis.

**State Performance Contract Overview:** The FY26 State Performance Contract is pending approval and outlines service expectations between Community Services Boards (CSBs) and the Virginia Department of Behavioral Health and Developmental Services (DBHDS):

- Includes a core contract (uniform across CSBs) and Exhibit Ds detailing specific services, outcomes, and reporting requirements
- Some Exhibit Ds are negotiable, allowing CSBs to advocate for funding and service terms. Others are mandated, with limited flexibility
- The process remains largely directive, with final terms often arriving during the public comment period, limiting collaborative input.

**Diversion First Initiative – 10-Year Milestone:** Fairfax County's Diversion First initiative celebrates its 10th anniversary, marking a decade of progress in diverting individuals with behavioral health needs from incarceration to treatment:

- Recognized nationally at the NACo Conference and featured in the Chairman's newsletter
- Expanded services include:
  - Behavioral health docket
  - Discharge support from detention
  - Co-responder teams
  - Marcus Alert program
- Emergency services operate 24/7, supported by a first-floor crisis response center that facilitates rapid law enforcement transfers
- Outcomes include reduced jail admissions, improved crisis response, and enhanced public safety through cross-agency collaboration.
- D. **Senior Strategy Director Shweta Adyanthaya**, mentioned that the CSB newsletter serves as a platform to spotlight programs, recognize staff, and share training opportunities. A crisis services flyer was distributed across four Fairfax County districts, and there was notable engagement around the care and navigation system. Looking ahead to August, the newsletter will highlight Diversion First initiatives, the expansion of the addiction medication clinic, and updates on crisis services. Materials are also shared with county and

CSB Board Meeting Minutes July 23, 2025 Page 5 of 5

city communications teams for broader dissemination, and board members are encouraged to subscribe to their district leadership newsletters to stay informed.

#### 8. Matters of the Board

- A. Board Bylaws
  - It was clarified that the bylaws were amended in 2022 to allow nine meetings per year, omitting April, August & December.
- B. Board Calendars
  - August 27, 2025, is not a formal Board meeting but a FOIA (Freedom of Information Act) training session.
- C. Site Visit to the Chris Atwood Foundation
  - Board members, Bettina Lawton; Dr. Patricia Zissios; Vice Chair Evan Jones; and Daria Akers will be attending.

#### 9. Committee Reports

- A. **Secretary Evan Jones** mentioned that the Service Delivery Committee (SDOC) meeting will be on **August 13, 2025**, at **5:00 P.M.** A site visit to Chris Atwood is scheduled for July 29, 2025, at 4:00 P.M.
- B. Chairman Andrew Scalise reminded all that the Compliance Committee Meeting is on August 20, 2025, at 5:00 P.M. Followed by Executive Committee Meeting at 5:30 P.M.
- C. Dr. Patricia Zissios said that the Fiscal Oversight Committee Meeting is scheduled for August 20, 2025, at 4:00 P.M. She encouraged new board members to attend the meeting.

#### 10. Action Item

Approval of CSB State Performance Contract FY2026-FY2027. This contract outlines the agreement between the Virginia Department of Behavioral Health and Developmental Services (DBHDS) and Fairfax-Falls Church Community Services Board including funding allocations, service expectations, and compliance requirements.

BOARD MEMBER BETTINA LAWTON MOVED TO APPROVE THE COMMUNITY SERVICES BOARD (CSB) STATE PERFORMANCE CONTRACT FOR FY 2026 - FY 2027. THE MOTION WAS SECONDED BY VICE CHAIR EVAN JONES AND RECEIVED UNANIMOUS APPROVAL.

#### 11. Adjournment

COMMITTEE MEMBER BETTINA LAWTON MADE A MOTION TO ADJOURN THE MEETING, WHICH WAS SECONDED BY BOARD MEMBER ANNE WHIPPLE. THE MOTION WAS UNANIMOUSLY APPROVED AND THE MEETING WAS ADJOURNED AT 6:47 P.M.

Date Approved	Clerk to the Board





## 2025 Public Policy Conference

October 1<sup>st</sup> - 3<sup>rd</sup>, Hotel Roanoke Roanoke, Virginia

Oct 01

#### VACSB 2025 Public Policy Conference

Please join us for the VACSB Public Policy Conference at the Hotel Roanoke, October 1st through 3rd, 2025

Keynote Presentation on CCBHC Implementation 2025 Virginia Public Policy Panel Presentation 10 Breakout Sessions CEUs Provided by DBHDS



The Hotel Roanoke & Conference Center 110 Shenandoah Ave NE, Roanoke, VA 24016

#### Virginia Association of Community Services Boards DRAFT 2025 Public Policy Conference at a Glance

9:30 am – 5:00 pm	VACSB Registration Desk Oper			North Entry	
11:00 am – 12:00 pm	Exhibit Center Open (BREAKFA CONFERENCE OPENS – Buffet	Crystal Foyer Roanoke A/B/C/			
12:00 am – 12:00 pm 12:00 pm – 1:15 pm	Keynote on CCBHC Implement			ROBITORE A/B/C/	
1:30 pm – 3:00 pm	Conference Workshops (conc				
Wilson	Crystal A/B/C	Monroe	Crystal D/E	Buck Mountain	
	.,,,.,.		21,255111 = 7,2		
Ethics Training	Federal Budget Updates	Geriatric Services & Zero Suicide	DMAS Behavioral Health Services Redesign	The Impact of Social Media on Children	
3:00 pm – 3:30 pm	Refreshment Break in Exhibit	Center			
3:30 pm – 5:00 pm	Conference Workshops (conc	urrent)			
Wilson	Crystal A/B/C	Monroe	Crystal D/E	Buck Mountain	
Ethics Training	Addressing Conflict in the Workplace	Opioid Abatement Authority Presentation	DMAS Behavioral Health Services Redesign	Brain Injury Services	
5:00 pm – 6:00 pm	Welcome Reception - Sponsor	r <b>ed by Iris Telehealth</b> (Complim	nentary Hors d'oeuvres & Cash	Bar) Crystal Foyer	
THURSDAY, OCTOBE	ER 2. 2025				
3:00 am – 5:00 pm	•	Onon		North Entry/Crystal Foyer	
8:00 am = 9:30 am	Registration & Exhibit Center ( Continental Breakfast	Ореп		Crystal Foyer	
9:30 am – 12:00 pm	2025 Virginia Public Policy Par	nol Procontation		Roanoke A/B/C/D	
	Nelson Smith, Commissioner, Cheryl Roberts, Director, DMA Sam Rasoul, Virginia House of R. Creigh Deeds, Senate of Vir Todd E. Pillion, Senate of Virgi William M. Stanley Jr., Senate	DBHDS AS Delegates ginia nia <b>(invited)</b>	nmonwealth of Virginia <b>(invited</b>	,	
12:00 pm – 1:45 pm	2025 Joseph V. Gartlan, Jr. Aw			Roanoke A/B/C/[	
2:00 pm – 5:00 pm	CSB/BHA Board Member Wor			Buck	
2:00 pm – 5:00 pm	Group Meetings			Duck	
,	Executive Directors Foru	e Use Disorders Services Coun ncil ors Council cil Council ices Council ncil	ncils	Crystal A/B/ Crystal D/ Monro Tinke Mi Wilso Brus Pocahontas Pocahontas	
3:00 pm – 3:30 pm	Refreshment Break in Exhibit	Center			
5:00 pm – 6:00 pm	Networking Reception – Spons	sored by DLG Strategic (Comp	limentary Hors d'oeuvres & Cas	ch Bar) Crystal Foyer	
FRIDAY, OCTOBER 3	, 2025				
3:00 am – 11:00 am	Registration Desk Open			North Entry	
8:00 am – 9:00 am	Buffet Breakfast			Crystal Foyer Crystal Ballroon	
9:00 am – adjourn					

## August 2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12	SERVICE DELIVERY OVERSIGHT COMMITTEE 5:00 P	14	15	16
17	18	19	FISCAL OVERSIGHT COMMITTEE 4:00 P, COMPLIANCE COMMITTEE 5:00 P & EXECUTIVE COMMITTEE 5:30 P	21	22	23
24	25	26 Board of Supervisor Meeting	27 Full Board Meeting (FOIA Training)	28	29	30
31						

**EVENTS** 

**BUDGET** 

#### **LEGISLATIVE & OTHER**

 Match CSB Board Members with General Assembly Representatives, Schedule visits, Prepare talking points.

#### **BOARD ACTIONS**

The full Board meeting will not be held in August 2025.

- An updated fee schedule goes into effect July 1st.
- Finalize and approve end of FY Report to BOX & CITIES

## September 2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	LABOR DAY COUNTY CLOSED	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	FISCAL OVERSIGHT COMMITTEE 4:00 P & EXECUTIVE COMMITTEE 5:00 P	18	19	20
21	22	23	24 CSB FULL BOARD 5:00 P	25	26	27
28	29	30				

**EVENTS** 

**BUDGET** 

#### **LEGILSATIVE & OTHER**

- CSPC Measures Q4 Report (FY End)
- CSB Status Report FY End
- Finalization of legislative talking points
- FY Strategic Plan Annual Accomplishments

#### **BOARD ACTIONS**

- Plan Fall engagement with Legislators.
- Board carryover actions.

## October 2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	SERVICE DELIVERY OVERSIGHT COMMITTEE 5:00 P	9	10	11
12	13	14	FISCAL OVERSIGHT COMMITTEE 4:00 P & EXECUTIVE COMMITTEE 5:00 P	16	17	18
19	20	21	22 CSB FULL BOARD 5:00 P	23	24	25
26	27	28	29	30	31	



**BUDGET** 

#### **LEGISLATIVE & OTHER**

- Board Engagement with General Assembly Legislators.

#### **BOARD ACTIONS**

 Informational Item – CSB Board Annual Report

## November 2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	ELECTION DAY COUNTY CLOSED	5 EXECUTIVE COMMITTEE 5:00 P	6	7	8
9	10	VETERANS' DAY COUNTY CLOSED	FISCAL OVERSIGHT COMMITTEE 4:00 P & CSB FULL BOARD 5:00 P	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27 THANKSGIVING DAY COUNTY CLOSED	28 Day After Thanksgiving County Closed	29
30						

## **EVENTS**

#### **BUDGET**

- FY CIP Budget

#### **LEGILSATIVE & OTHER**

- Visits to General Assembly Legislators continue.
- Select CSB Speakers and priorities for January Budget hearings.

#### **BOARD ACTIONS**

Committee meeting dates for the months of November and December 2025 have been shifted forward due to county closures in observance of holidays.

 Action Item – approve Board Meeting Schedule for the next year.

## December 2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
			SERVICE DELIVERY OVERSIGHT COMMITTEE 5:00 P			
7	8	9	10	11	12	13
			FISCAL OVERSIGHT COMMITTEE 4:00 P, COMPLIANCE COMMITTE 5:00 PM & EXECUTIVE COMMITTEE 5:30 P			
14	15	16	17	18	19	20
			FULL BOARD MEETING (VIRTUAL) 5:00 P			
21	22	23	24	25	26	27
			CHRISTMAS EVE COUNTY CLOSED	CHRISTMAS DAY COUNTY CLOSED		
28	29	30	31			



#### **BUDGET**

- Finalize testimony for State Budget Hearings held in January.

#### **LEGISLATIVE & OTHER**

- CSPC Measures Q1 Report

#### **BOARD ACTIONS**

Committee meeting dates for the months of November and December 2025 have been shifted forward due to county closures in observance of holidays.

## YOUR RIGHTS & RESPONSIBILITIES UNDER THE VIRGINIA FREEDOM OF INFORMATION ACT (FOIA)

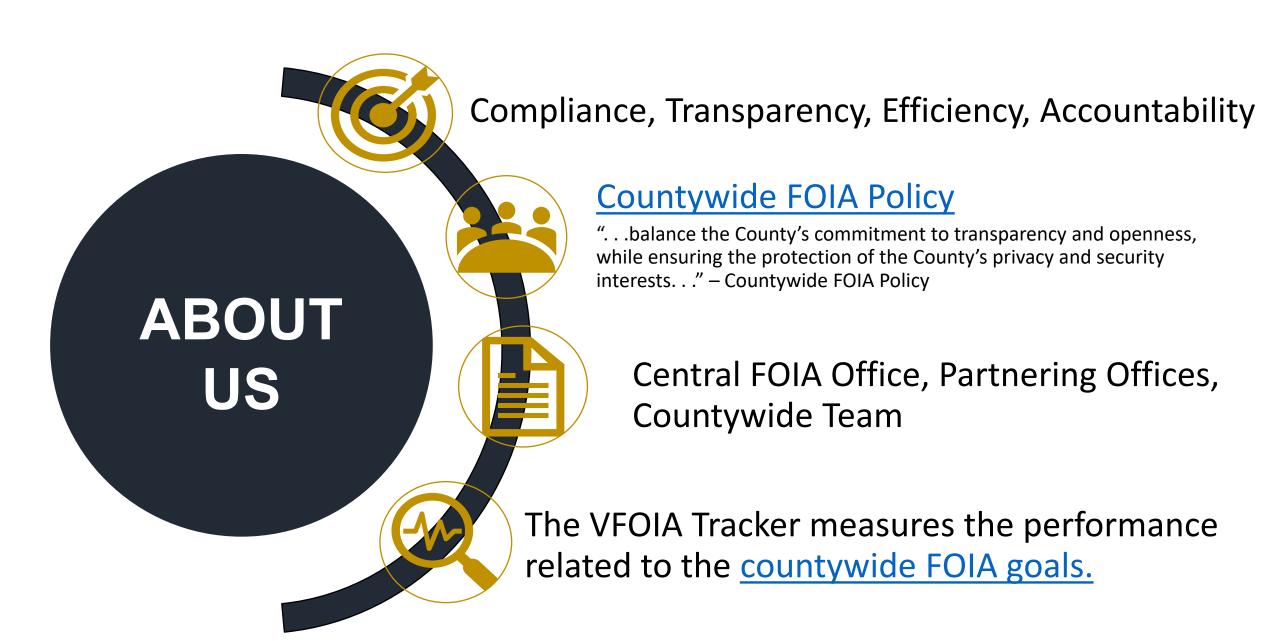
Fairfax-Falls Church Community Services Board (CSB)

Presented by: Countywide FOIA Office

&

Office of the County Attorney







### WHAT IS A PUBLIC BODY?

- "Public body" means:
  - Any legislative body, authority, board, bureau, commission, district or agency of any political subdivision of the Commonwealth; or
  - Other organizations, corporations or agencies in the Commonwealth supported wholly or principally by public funds; or
  - Any entity created by a public body to perform delegated functions of the public body or to advise the public body.

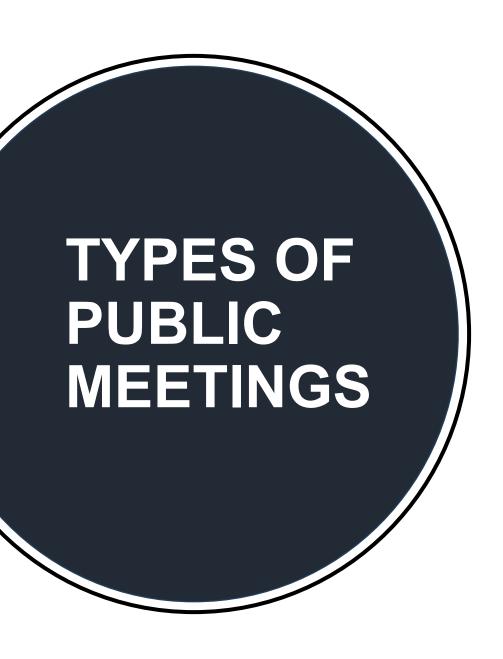
#### **EXAMPLES:**

- Fairfax County Board of Supervisors
- Fairfax County BACs:
  - Child Care Advisory Council
  - Commission for Women
  - Library Board



- A "meeting" is defined as "meetings including work sessions, when sitting physically, or through telephonic or video equipment. . . as a body or entity, or as an informal assemblage of (i) as many as three members or (ii) a quorum, if less than three. . .where the business of the public body is being discussed or transacted."
- A "meeting" can take place virtually or electronically by nearsimultaneous emails, text messages, etc.
- Limited exceptions include: a public forum, informational gathering, candidate appearance, meeting of another public body, or debate, if the purpose is to inform or gather information from the public, and no discussion of public business occurs among the members of the public body.
- Public meetings must be open to the public!





#### In-Person

All members of the BAC are in-person

#### All-Virtual

- Certain BACs may conduct half their meetings fully virtually.
- Cannot be consecutive
- Must have a policy in place

#### Remote Participation

- Any public body may authorize members to participate virtually (for certain reasons) when a quorum of the public body is in-person
- Must have a policy in place

#### Emergency Electronic

 Public bodies may meet fully virtually (electronically) during a declared state of emergency (for certain reasons) if it is impracticable or unsafe to meet in person.

- The notice shall be posted at least three working days prior to the meeting.
- The notice shall include the: date, time, location, and remote location (if required).
- If changes to posting details are needed, allow three days notice to the public.
- Public bodies shall post such notice:
  - ✓ on its official public government website,
  - ✓ in a prominent public location at which notices are regularly posted; and
  - ✓ at the office of the clerk services or, in the case of a public body that has no clerk, at the office of the chief administrator.



## PUBLIC MEETING MATERIALS



Minutes of the meeting must be taken, preserved, and posted online seven working days after they are approved.



There are additional requirements for minutes of electronic meetings. See Code §§ 2.2-3707(I); -2708.3(B)(4) and (C)(10).



The agenda and agenda packets must be made available for public inspection at the same time the documents are furnished to the members of the public body.

## **CLOSED SESSION**





- 1. Identifies the subject matter for the closed meeting.
- 2. Specifically states what that matter is.
  - 3. Makes specific reference to the applicable exemption from the open meeting requirements.



#### After Closed Session, the "cleansing motion":

- 1. Only public business matters lawfully exempted from open meeting requirements under this chapter.
- 2. Only such public business matters as were identified in the motion were heard, discussed or considered.





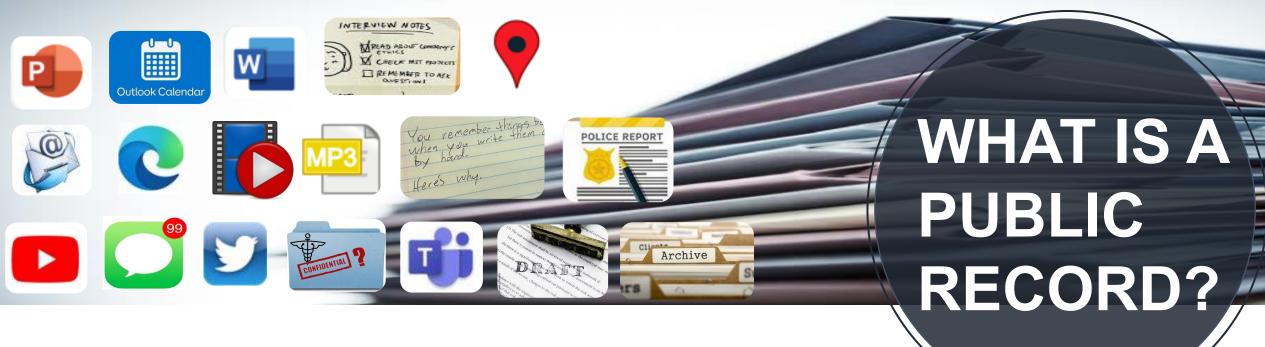
# FREEDOM OF INFORMATION

**VIRGINIA** 

WHAT IS THE

ACT?

- Enacted by the Virginia General Assembly July 1, 1968
- Grants VA residents and members of the media access to public records and public meetings.
- Application of openness and record access broad any exemption from public access should be narrowly applied.



- "Public records" all writings and recordings...prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business." – No matter the format or location!
- Applies to existing records we are not required to create records. However, generating a report from a database or segregating or excising information is not considered creating a new record.





Virginia's health privacy statute (Va. Code § 32.1-127.1:03) is a "more specific statute" that governs requests for health records.

# IS IT A FOIA REQUEST OR A HEALTH RECORDS REQUEST?



If the request is **only** for "health records," follow the Va. Code § 32.1-127.1:03 procedures.

- ✓ Verify requester is entitled to records;
- ✓ Respond (at least) within 30 days;
- ✓ Only charge for supplies and labor.





Requesters do not need to say "FOIA" to make it a FOIA request! No such thing as a formal request.



Notify the FOIA Office ASAP. We have 5 business days to respond +7-day extension if needed.



FOIA allows charges actual and reasonable charges. Notify requesters that fees may apply and that they are entitled to a cost estimate.



Responses must be made in writing!

## HOW LONG DO I HAVE TO KEEP MY RECORDS?

- The Library of Virginia has specific retention schedules that outline how long records should be kept.
  - <u>Library of Virginia Records Management</u>
     <u>Locality General Schedules</u>

- There are civil penalties for willfully and knowingly violating VFOIA and additional penalties for altering or destroying records with the intent to avoid VFOIA.
- Good records management allows for compliant and efficient VFOIA responses.





All public records can be requested but not all information is releasable.

# ARE ALL PUBLIC RECORDS AND INFORMATION RELEASABLE?



Exemptions are privacy laws that allow public bodies to withhold sensitive information.



May release, required to release, and cannot release:

- ✓ must be in writing,
- ✓ must cite exemption code,
- ✓ must describe subject matter and volume of records being withheld.





Personnel Information - § 2.2-3705.1(1)



Attorney Client Privilege - § 2.2-3705.1(2)



Closed Meeting Records - § 2.2-3705.1(5)



Personal Contact Information - § 2.2-3705.1(10)



\*Social security numbers - § 2.2-3808.1



\*Driver's license/account numbers - § 2.2-3808.1





Virginia Health Records - Va. Code § 2.2-3705.5(1) and § 32.1-127.1:03



Federal Health Privacy Regulations - HIPAA and 42 CFR Part 2



Social Services Records - Va. Code § 2.2-3705.5 and § 63.2-104



Medicaid / DMAS Records - 42 CFR § 431.302; 12 VAC § 30-20-90

## CONTACT INFORMATION



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#### Office of the County Attorney:

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John Burton, Senior Assistant County Attorney
(703-324-2421)

#### **Clerk Services**

Jill Cooper, Clerk to the Board (703-324-2869)